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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 FATEMEH KHALILI, ) Case No. 11-759 SC  
9 Plaintiff, )  
10 v. ) ORDER SETTING STATUS  
11 COMERICA BANK, et al., ) CONFERENCE  
12 Defendants. )  
13 )  
14 )  
15 )

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16 On September 23, 2011 Defendants Comerica Bank and Comerica  
17 Management Company (collectively, "Defendants") and Plaintiff  
18 Fatemeh Kalili ("Plaintiff") attended a status conference at which  
19 the Court requested that, within 30 days, the parties submit  
20 simultaneous statements as to whether this case should proceed to  
21 arbitration. ECF No. 20. Defendants have stated that they are  
22 agreeable to waiving arbitration and litigating the above captioned  
23 matter before this Court. ECF No. 21. Defendants have also  
24 withdrawn their affirmative defenses relating to arbitration. Id.  
25 Plaintiff has stated that Defendants have refused to provide  
26 requested information concerning how many of the putative class  
27 members in this case have signed agreements to arbitrate claims  
28 arising out of their employment with Defendants. ECF No. 22.

1 Plaintiff contends that, without this information, he cannot  
2 responsibly assess whether this case should proceed as a class  
3 action before this Court or proceed to arbitration. Id.

4 As the parties have yet to provide a clear indication as to  
5 whether this matter will proceed to arbitration, the Court hereby  
6 sets a status conference for **February 10, 2012 at 10:00 A.M.**  
7 Parties are to file a joint statement seven days prior to the  
8 conference to update the Court on any developments on arbitration  
9 proceedings in this matter.

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11 IT IS SO ORDERED.

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13 Dated: November 7, 2011

  
14 UNITED STATES DISTRICT JUDGE